

# Clark County Sheriff's Office

517 Court Street-Room 308, Neillsville, WI 54456

Phone: 1-800-743-2420 or 715-743-5278 Fax: 715-743-4350

Confidential Tip Line: 888-847-2576 (TIP-CLSO)

Civil Process: 715-743-5354



## Clark County Sheriff's Office Requirements Writ of Restitution/Disposal of Personal Property Writ of Replevin, Writ of Execution, Writ of Assistance. Writ of Attachment

A **Writ of Restitution/Disposal of Personal Property (Eviction)** is valid for 30 days after issued by the court. The Sheriff's Office must serve the Writ within 10 days of receiving it.

A **Writ of Assistance** is valid for 60 days after issued by the court and is issued any time after the Confirmation of Sale hearing. The Sheriff's Office follows the orders listed on the Writ.

A **Writ of Replevin** is an action to regain personal property unlawfully held or retained by another. This Writ is valid for 90 days after issued by the court. The Sheriff's Office must serve this Writ within 60 days of receiving it.

A **Writ of Execution** is a lawful manner to collect after a party has obtained a judgment against another in payment of money or delivery of property. This Writ is valid for 60 days & may be issued at any time within five years after a judgment has been recorded or perfected.

A **Writ of Attachment** is for freezing assets of a defendant while a legal action is pending.

Please DO NOT bring your Writ to the Clark County Sheriff's Office until you have all the required items listed below for us to execute the Writ. Not having the required paperwork can delay the service of the Writ and possibly require a new Writ if the deadline has past.

The Clark County Sheriff's Office fees for executing a Writ are as follows:

\$250.00 payment at time of delivering Writ papers to the Clark County Sheriff. This fee is non-refundable should you decide to cancel the Writ at any time throughout the process.

The \$250 will include:

- \$60.00 for Service of the Writ
- \$ 7.00 Certified Mailing, if needed
- \$60.00 Officer's Time - per officer/per hour (usually 2 officers)
- Round trip mileage at current county rate per mile (pre-figured – per officer)

You will be billed for all costs associated with this Writ over and above the \$250.00 if extenuating circumstances evolve.

Clark County deals mostly with Writ of Restitution (Eviction) and Writ of Replevin (restoring property to rightful owner). Writ of Restitution and Writ of Assistance are very similar to each other as to what is required at the time you bring the Writ into the Clark County Sheriff's Office.

The following is your responsibility and required at the time you bring the **Writ of Restitution** to the Clark County Sheriff's Office:

- Original Writ, with court seal addressed to the Clark County Sheriff's Office
- \$250.00 advance deposit made payable to the Clark County Sheriff's Office
- Aid in Serving Form (can be printed from civil process page highlighted in red)
- Copy of the written agreement on storage of personal property (if there is one)
- If written agreement was established you will need a surety bond
- Plaintiff/Landlord contact information to be listed on the Aid In Serving form.
- Storage of Property after removal of defendant(s)/tenant(s) address
- Bonded Moving Company (if needed) contact information
- Locksmith contact information

The following is your responsibility and required at the time you bring the **Writ of Replevin** to the Clark County Sheriff's Office:

- Original Writ, with court seal addressed to the Clark County Sheriff's Office
- \$250.00 advance deposit made payable to the Clark County Sheriff's Office
- Aid in Serving Form (can be printed from civil process page highlighted in red)
- Towing Company = Name and Telephone Number
- Surety Bond per WI Statute 815.24(5) (if needed)

### **Writ Procedure for Writ of Restitution/Disposal of Personal Property (Eviction)**

At an agreed upon time, with the plaintiff(s)/landlord(s), in the 10 days allowed for service, Clark County Sheriff Deputy's check the address listed on the Writ.

If the defendant(s)/tenant(s) are still occupying the residence, they will be served a copy of the Writ along with a letter of explanation and given 10-15 minutes to gather any personal belongings such as cell phone, cell phone charger, medications, and pets. They will then be escorted off the premises immediately.

If the defendant(s)/tenant(s) are not occupying the address listed on the Writ a copy of the Writ along with a letter of explanation from the Sheriff's Office is posted near the main entrance of the residence. An orange colored notice is posted advising the public of the eviction and no trespassing.

At this time, the plaintiff/landlord will be contacted to proceed with their next step of securing the premises, whether it is by having a bonded moving company to store the personal property left behind or change the locks. The officer is there only as a peacekeeper.

It is the plaintiff(s)/landlord(s) responsibility to mail the defendant(s)/tenants(s) a notice advising them of the process to retrieve their personal property left behind. This notice must be sent within 3 days after the eviction and mailed to their last known address even if that address is the current address of the eviction.

After the Writ has been served, personal property stored and locks changed the Clark County Sheriff's Office will complete and file a Return of Writ with the Clark County Clerk of Courts Office, along with the original Writ and if needed, the Surety Bond.

An itemized invoice will be sent to you on completion of the service and final payment is due immediately upon receipt.

If you have any questions regarding this matter, please contact the Sheriff's Office Civil Process Clerk at 714-743-5354.

### **Writ Procedure for Writ of Replevin**

The Clark County Sheriff's Office will coordinate a date and time with the Tow Company to seize the property listed on the Writ of Replevin. The Plaintiff will provide the name and contact information to the Clark County Sheriff's Office.

A deputy with the Clark County Sheriff's Office will verify the Vehicle Identification Number on the property being seized with the Department of Transportation.

The Writ of Replevin, along with a letter of explanation, will be given to the Defendant. If the Defendant is not available, the Writ of Replevin and Letter of Explanation will be posted near the main entrance of the residence.

After the Writ of Replevin has been served and the property removed the Sheriff's Deputies, along with the Tow Company, will leave the property. The Clark County Sheriff's Office will complete and file a Return of Writ with the County Clerk of Courts Office.

An itemized invoice will be sent to you on completion of the service and if there is, a final payment due it will be due immediately upon receipt of the invoice.

If you have any questions regarding this matter, please contact the Sheriff's Office Civil Process Clerk at 714-743-5354.

# Writ of Restitution/Disposal of Personal Property (Eviction)

Please complete the appropriate information below and hand in with the other required paperwork:

Name of Plaintiff/Landlord \_\_\_\_\_

Mailing Address of Plaintiff/Landlord \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Plaintiff's/Landlord's E-Mail Address \_\_\_\_\_

Plaintiff's/Landlord's Telephone # (daytime) \_\_\_\_\_

\*\*\*\*\*

Storage of Property Address \_\_\_\_\_

\*\*\*\*\*

Bonded Moving Company's Name \_\_\_\_\_

Bonded Moving Company's Address \_\_\_\_\_

\_\_\_\_\_

Bonded Moving Company's Contact Name \_\_\_\_\_

Bonded Moving Company's Contact Telephone # \_\_\_\_\_

\*\*\*\*\*

Locksmith Contact Name \_\_\_\_\_

Locksmith Address \_\_\_\_\_

Locksmith Contact Cell Phone Number \_\_\_\_\_

\*\*\*\*\*

(FOR SHERIFF'S OFFICE USE)

The Clark County Sheriff's Office has received the following advance payment:

Plaintiff's/Landlord's Name \_\_\_\_\_

Court Case # \_\_\_\_\_

Date & Time Rec'd \_\_\_\_\_

Amount Rec'd \_\_\_\_\_

Cash  Check # \_\_\_\_\_

Received by \_\_\_\_\_